

SB 251
TASK FORCE TO STUDY ELECTRONIC HEALTH RECORDS

February 12, 2007
MINUTES

Task Force Members in Attendance √, Absent x, Representative *:

√ Thomas Allen	x Paul Fowler	√ Susan Newbold
√ Stephanie Amey	√ David Gens	x* Shane Pendergrass
√ Peter Basch	√ Chris Gibbons	√ Victor Plavner
√ Beverly Collins	x Mary Hendler	√ Jack Schwartz
x Barbara Cook	x* Paula Hollinger	x Kevin Sexton
x Jimmie Drummond	√ Aubrey Knight	√ Dorothy Snow
x Rex Cowdry	√ Carey Leverett	√ Angelo Voxakis
√ John Eichensehr	√ Thomas Lewis	√ James Wieland
x Michael Flores	√ Gina McKnight-Smith	√ Ken Yale

*Steve Mandell for Paula Hollinger

*DeWayne L. Oberlander for Shane Pendergrass

I. Meeting Call to Order

Task Force Chair Peter Basch, M.D. called the meeting to order at 3:10 p.m.

Chairman Basch thanked Mr. J.P. Little, Chief Operating Officer of RxHub, an electronic prescribing information exchange network, for his presentation preceding the Task Force meeting. Chairman Basch said he invited the President of the Health Information Technology section of the American Health Lawyer Association, which defends doctors and hospitals against malpractice lawsuits, and a representative from the American Association for Justice to speak at the May 14, 2007 Task Force meeting. These individuals are expected to discuss medical and legal implications related to Health Information Technology and Health Information Exchange. The May 14th meeting is tentatively scheduled to be held at the University of Maryland College Park. The Chairman said that more information about the May meeting will be forthcoming and requested that Task Force members begin to think about any questions they would like these individuals to address at the May meeting.

Chairman Basch broadly discussed Task Force member involvement in developing the final report. The Chairman said he hopes that as sections of the final report are developed, Task Force members will carefully review them and provide staff with written comments. Task Force members will begin to receive sections of the draft report in March. The Chairman reminded Task Force members that in places where consensus can not be achieved it would be noted in the final report. Chairman Basch also said that Task Force member comments to draft sections of the final report will be posted on the Task Force webpage. A first draft of the full report is expected to be completed by the end of July, at which time the Task Force will invite stakeholders to comment on the report. Between August and November, the Task Force will have the opportunity to review and address stakeholder comments.

Approval of the Minutes

Mr. Carey Leverett made a motion to approve minutes of the January 8, 2007 Task Force meeting, which was seconded by Dr. David Gens, and unanimously approved.

II. Workgroup Breakout Session Instructions from the Chair and Vice Chair

The Chairman provided Workgroups with instruction before moving into breakout sessions. Workgroups were asked by the Chairman to consider some additional policy questions as part of their deliberation.

The Chairman asked the Electronic Prescribing Workgroup to think about mandates or incentives for adopting stand-alone electronic prescribing applications. He also asked them to review and comment on the *National E-Prescribing Safety Initiative* (NEPSI). NEPSI is a national initiative sponsored by a consortium of technology and health care organizations including Aetna, Allscripts, Cisco, Dell, Fujitsu, Intel, Microsoft, Spring Nextel, SureScripts, WellPoint, and Wolters Kluwer Health.

Chairman Basch asked the Electronic Patient Information Workgroup to consider whether the adoption of electronic health records is useful without a mechanism for patient-centric data exchange. He also asked them to consider broad policy issues related to Dossia, a web-based personal health record initiative sponsored by Wal-Mart, Intel, Applied Materials, BP America, and Pitney Bowes.

Chairman Basch asked the Infrastructure Management Workgroup to consider whether there is value to health information exchange if physicians do not use electronic health record systems. The Chairman also asked the Workgroup to think broadly about the role of providers in health information exchange.

IV. Workgroup Sessions

Each Workgroup met for breakout sessions.

V. Workgroup Updates and Task Force Discussion

Vice Chairman Ken Yale reported that the Infrastructure Management Workgroup came to a consensus that the principles embodied in the Markle Foundation's *Connecting for Health Common Framework: Overview and Principles*, were a good set of principles to adopt. The Workgroup prioritized issues regarding ownership and privacy and agreed that a number of areas remain unresolved. The Workgroup also addressed some principles related to health information exchange, such as data sharing, ownership, responsibility, and openness and transparency. The Workgroup plans to further discuss these issues at the next meeting.

Dr. Beverly Collins reported that the Electronic Prescribing Workgroup invited Mr. Little to participate in the Workgroup's discussion during the breakout session. Mr. Little

elaborated further on RxHub's role in e-prescribing and answered a number of questions. The Workgroup finalized their definition of electronic prescribing, which will be posted on the Task Force webpage. The Workgroup reached consensus in favor of not recommending adoption mandates. The Workgroup plans to further explore the idea of recommending incentives to promote the adoption of electronic prescribing. In addition, the Workgroup intends to review state and federal laws that may impact electronic prescribing. Dr. Collins said the Workgroup will recommend that ACS State Healthcare Solutions, the Medicaid prescription claims processor, enroll with RxHub, thereby, enabling the availability of medication history to electronic prescribers for the Medicaid population.

Mr. James Wieland reported that the Electronic Patient Information Workgroup reached consensus on a definition of an electronic health record, which will be posted on the Task Force webpage. Mr. Wieland said the Workgroup plans to discuss school health records, which is part of the Task Force's mandate, as it moves forward with its policy deliberation. The Workgroup plans to work on defining the components of an electronic school health record, and how it can interface with an electronic health record. The Workgroup will also consider whether they should recommend that the Task Force propose mandating the use of electronic health records or provide incentives for their adoption.

VI. Closing Remarks by the Chair

Chairman Basch asked the public for any comments. Dr. Bruce Taylor, from Taylor Service Company, commented on an electronic billing proposal he has put forth that would use an electronic card, similar to a credit card. Ms. Grace Zaczek, Executive Director of the Maryland Community Health Resources Commission, stated that she would like to provide the Task Force with an article concerning the costs for rural physicians to establish and maintain electronic health records. Chairman Basch asked Task Force members to forward to him follow up questions regarding the RxHub presentation. As part of his presentation, Mr. Little offered to provide written comments to any additional questions from the Task Force.

Chairman Basch suggested that Task Force members review the proposed telemedicine regulation, *COMAR 10.32.05 Telemedicine*, proposed by the Maryland Board of Physicians. The regulation specifies requirements for physicians who use telecommunications in their practice, including requirements for licensure, standards for practice, and discipline.

The next Task Force meeting will be on March 12, 2007 at 3:00 p.m. There being no further business, the Task Force meeting was adjourned at 5:00 p.m.